

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Linda I. Hoffberg-Borghesani, et al.

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Serial No. : 09/497,071

For: : ADAPTIVE PATTERN RECOGNITION BASED CONTROL SYSTEM  
AND METHOD

Group Art Unit: 2623

Examiner : Salce, Jason P.

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June 19, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

REVISED APPEAL BRIEF PURSUANT TO 37 § C.F.R. 41.37

Pursuant to the Order Returning Undocketed Appeal to Examiner dated June 18, 2009,  
applicants herewith submit their revised Claims Appendix to the Appeal Brief.

Respectfully submitted,



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(viii) Claims appendix.

Claims 1-154 (Cancelled)

155. A method for selecting media, comprising the steps of:  
storing data describing available media and storing data representing previously selected media;  
automatically performing a search of said available media for a correspondence to data representing content characteristics of the previously selected media, wherein said data representing content characteristics are not received as an input from a human user; and  
automatically issuing a notification of available media having characteristics corresponding to, but not identical to previously selected media,  
wherein said media comprises a media program.

156. The method of claim 155 wherein said media comprises television programs and said data describing available media comprises a channel guide list comprising content characteristics.

157. The method of claim 155, wherein said step of automatically issuing a notification includes the step of producing a display including a list of the available media meeting a predetermined correspondence criteria on a display screen for viewing.

158. The method of claim 157, further comprising a step of altering the produced display in dependence on at least input received from a data entry device.

159. The method of claim 158, further comprising the step of selecting one of the available media items displayed on the list of available media.

160. The method of claim 155, wherein said data representing said characteristics of previously selected media comprises media theme information.

161. The method of claim 155, further comprising the step of displaying a list of available programs, and receiving an input for recording a selected one of the available programs.

162. A system, comprising:  
a controller component configured to control delivery of a media program; and  
a processor component configured to automatically determine a correspondence between data representing content characteristics of media within a set of available media programs with data representing content characteristics of previously delivered media, wherein said data representing content characteristics are not received as input from a human user, and producing a signal dependent on a degree of said correspondence.

163. The system according to claim 162, wherein said signal controls a recording of a media program.

164. The system according to claim 162, wherein said signal produces a list of choices through a human user interface.

165. The system according to claim 162, wherein interaction with said system through a user interface serves as an input to an adaptive algorithm of said processor component for determining said correspondence.

166. The system according to claim 162, wherein said at least one memory further stores information regarding at least two humans, wherein said signal is dependent on a defined set of humans.

167. The system according to claim 162, wherein a presentation of media is restricted in dependence on a financial transaction.

168. A system for selecting media items, comprising:

- (a) a user interface for receiving a selection of a media item and for delivering a response to the selection;
- (b) a processor for automatically searching media items available for selection and for presenting a recommendation of at least one available media item, based on a degree of correspondence of said selection and content characteristics of available media items input independently of a human user; and

(c) an accounting database for recording commercial transaction data relating to selections received.

169. The system of claim 168, wherein said media items comprise television programs and said stored characteristics comprise a channel guide list, and television program-descriptive text accompanies said channel guide list.

170. The system of claim 168, wherein said recommendation presented by said processor comprises a display including a list of the available media meeting a predetermined correspondence criteria on a display screen for viewing.

171. The system of claim 168, wherein said characteristics comprise an identification of a program type.

172. The system according to claim 168, wherein said processor controls a recording of a said media item.

173. The system according to claim 168, wherein said database is configured to store a history of selections made by a plurality of users.

174. The method according to claim 155, further comprising the step of receiving media programming information as the data representing characteristics of media.

175. The method according to claim 177, further comprising the step of automatically generating data representing characteristics of media.

176. The method according to claim 155, wherein the data representing characteristics comprises a description of media content.

177. A method for proposing media, comprising the steps of:  
storing data representing content characteristics of media previously selected, wherein the data representing characteristics of media previously selected are not input by a respective human user;  
determining a set of available media programs, the set being associated with data representing content characteristics of members of the set of available media programs;  
automatically determining a degree of correspondence between data representing content characteristics a member of the set of available media programs and the data representing content characteristics of previously selected media; and  
outputting an identification of at least one member of the set of available media programs having content characteristics corresponding to content characteristics of previously selected media in dependence on the automatically determined correspondence.

178. The method according to claim 177, wherein the identification of at least one member of the set of available media programs having content characteristics corresponding to content characteristics of previously selected media is presented as a selectable object in a graphic user interface.

179. A method for presenting media, comprising the steps of:  
storing data representing at least one content parameter relating prior selections by a  
respective user, the at least one parameter not being input by that respective user;  
determining a set of available media programs, each member of the set having at least  
one associated content parameter;  
automatically determining a degree of correspondence of prior selections by the  
respective user and members of the set of available media programs based on at least the content  
parameters relating to prior selections by the respective user and the associated content  
parameters of members of the set of available media programs; and  
outputting a reference to at least one member of the set of available media programs  
based on at least the automatically determined degree of correspondence.

180. The method according to claim 179, wherein the reference comprises an object in  
a graphic user interface.

181. The method according to claim 179, wherein the reference comprises a selectable  
object in a graphic user interface.

182. A method for proposing media, comprising the steps of:  
storing data representing content-dependent characteristics of media previously selected  
by a respective user;

determining a set of available media, the set being associated with data representing content-dependent characteristics of members of the set of available media; automatically determining a degree of correspondence between content-dependent characteristics of available media and content-dependent characteristics of media previously selected by the respective user; and outputting an identification of at least one member of the set of available media having content-dependent characteristics corresponding to content-dependent characteristics of previously selected media by the respective user.

183. A method for selecting media, comprising the steps of:  
receiving data describing a plurality of content characteristics of available media;  
defining data representing a plurality of content characteristics of media previously selected by a respective user;  
automatically determining a relation between the available media and the media previously selected by the respective user, based on a respective plurality content characteristics of the available media and media previously selected by the respective user; and  
producing an output in dependence on the automatically determined relation.

184. The method according to claim 183, wherein the available media comprises at least one available media program.

185. The method according to claim 183, wherein the available media comprises at least one television program.

186. The method according to claim 183, wherein the plurality of content characteristics of the available media are derived from an electronic program guide.

187. The method according to claim 183, wherein said output comprises a displayed list of hypertext entries representing available media, further comprising the step of receiving a selection of one of the hypertext entries.

188. The method according to claim 183, wherein at least one of the plurality of content characteristics of the available media comprises theme information.

189. The method according to claim 183, further comprising the step of recording at least one of the available media in dependence on the output.

190. The method according to claim 183, further comprising the step of restricting a use of available media in dependence on a financial transaction.

191. The method according to claim 183, further comprising the step of financially accounting in dependence on the output.

192. The method according to claim 183, further comprising the step of delivering an advertisement in dependence on characteristics of media previously selected by the user.

193. The method according to claim 183, further comprising the step of accounting for delivery of an advertisement.